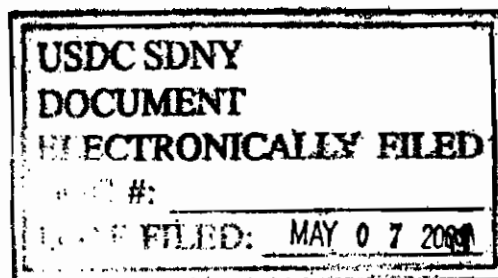


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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WILHELMSSEN PREMIER MARINE
FUELS AS,

Plaintiff,

-v-

No. 08 Civ. 8878 (LTS)

SA INDEPENDENT LINER SERVICE
PTY LTD., LONRHO PLC, and LONRHO
AFRICA HOLDINGS LTD.,

Defendants.
-----X

ORDER

For the reasons stated by the undersigned on the record at the conference in this matter on May 6, 2009, it is hereby

ORDERED, that the Order for Issuance of a Writ of Attachment and Garnishment (the "Attachment"), issued by the Court in this case on October 21, 2008, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, is vacated solely with respect to defendant Lonrho PLC and shall cease to be served as to any Defendant as of May 15, 2009; and it is further

ORDERED, that this action is dismissed with respect to defendant Lonrho PLC, without prejudice and without costs; and it is further


ORDERED, that the Clerk of Court shall unseal the submissions previously filed by Plaintiff under seal, namely, docket entry nos. 14 and 15; and it is further

ORDERED, with respect to the funds of defendants SA Independent Liner Service Ltd. and Lonrho Africa Holdings Ltd. that Plaintiff Wilhelmsen Premier Marine Fuels AS has

attached pursuant to the Attachment, within thirty (30) days of this Order Plaintiff shall inform the Court in writing whether it has arranged with either or both of the defendants and/or any third parties to establish a separate escrow account into which to transfer funds in the amount of the attached assets, or obtain mutually acceptable substitute security in the amount of such assets, or pay such funds into the Registry of the Court. This case will be dismissed without prejudice with respect to any defendant with which Plaintiff is able to reach an arrangement and, upon request by Plaintiff, the case will be reopened for the purposes of any necessary proceedings to enforce any judgment or arbitration award rendered in connection with a resolution of the merits of the dispute that is the subject of this action.

SO ORDERED.

Dated: New York, New York
May 7, 2009



LAURA TAYLOR SWAIN
United States District Judge